

**REMARKS**

**I. Status Of The Claims**

Claims 1-4 and 7-33 are pending in this Application.

Claims 25-33 are withdrawn from consideration.

Claims 19-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kerns (U.S. Patent No. 5,367,332).

Claims 1-4 and 7-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stempeck (U.S. Patent No. 4,571,627) in view of Minoura (U.S. Patent No. 4,812,922) and Stevens (U.S. Patent No. 6,111,609).

With this response claims 1, 3, 7, 9, 11, and 13-24 are amended.

Claims 1, 3, 7, 9, 11, and 13-18 are independent.

**II. Amendment of Independent Claims 1, 3, 7, 9, 11, and 13-18**

With this response, Applicants amend independent claims 1, 3, 7, 9, 11, and 13-18. No new matter has been added.

Applicants respectfully submit that the cited references, taken individually or in combination, fail to disclose, teach, or suggest at least:

“... a first review function of displaying the sensed image ...  
before start of recording the image on the recording medium  
...

a second review function wherein said control device  
controls said display device to display the sensed image after  
the image has been recorded on the recording medium,

wherein the first review function records the image on the  
recording medium in a format according to an input signal to  
the display device,

wherein the second review function records the image on the recording medium in a format of the image sensing device,  
and

wherein a setting device allows for selection between the first review function and the second review function”

as set forth in each of independent claims 1, 3, 7, 9, and 11 (emphasis added) as amended herewith.

Applicants further submit that that the cited references, taken individually or in combination, fail to disclose, teach, or suggest at least:

“... a first review function of displaying the sensed image ...  
before start of recording the image on the recording medium  
...

a second review function wherein said control device  
controls said display device to display the sensed image after  
the image has been recorded on the recording medium,

wherein the first review function records the image on the  
recording medium in a format according to an input signal to  
the display device,

wherein the second review function records the image on the  
recording medium in a format of an image sensing device of  
said image processing apparatus,

wherein a setting device allows for selection between the  
first review function and the second review function ...”

as set forth in each of independent claims 13 - 18 (emphasis added) as amended herewith.

In view of at least the forgoing, Applicants respectfully submit that claims 1, 3, 7, 9, 11, and 13 - 18, at least as amended herewith, are in condition for allowance. Those claims that depend therefrom are thought to be allowable for at least the same reasons.

### **III. Rejection of Claims 19-24 Under 35 U.S.C. 102(b)**

The Office Action rejects claims 19-24 under 35 U.S.C. 102(b) as being

anticipated by Kerns.

With this response, Applicants amend claims 19-24. No new matter has been added.

At least with the present amendment to claims 19-24, Applicants believe it clear that claim 19 depends from claim 13, that claim 20 depends from claim 14, that claim 21 depends from claim 15, that claim 22 depends from claim 16, that claim 23 depends from claim 17, and that claim 24 depends from claim 18.

Applicants believe it clear that Kerns fails to disclose, teach, or suggest all aspects of independent claims 13-18, and respectfully submit that claims 13-18 are allowable over Kerns. Claims 19-24 which depend therefrom are thought to be in condition for allowance for at least the same reasons that claims 13-18 are thought to be in condition for allowance.

### **CONCLUSION**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

### **AUTHORIZATION**

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4518. **A DUPLICATE OF THIS DOCUMENT IS ATTACHED.**

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response

anticipated by Kerns.

With this response, Applicants amend claims 19-24. No new matter has been added.

At least with the present amendment to claims 19-24, Applicants believe it clear that claim 19 depends from claim 13, that claim 20 depends from claim 14, that claim 21 depends from claim 15, that claim 22 depends from claim 16, that claim 23 depends from claim 17, and that claim 24 depends from claim 18.

Applicants believe it clear that Kerns fails to disclose, teach, or suggest all aspects of independent claims 13-18, and respectfully submit that claims 13-18 are allowable over Kerns. Claims 19-24 which depend therefrom are thought to be in condition for allowance for at least the same reasons that claims 13-18 are thought to be in condition for allowance.

### **CONCLUSION**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

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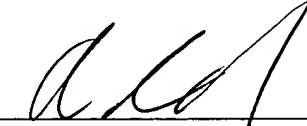
timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: May 6, 2005

By:

A handwritten signature in black ink, appearing to read 'A. R. Gill', is written over a horizontal line.

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